

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE FIFTH DAY OF JULY,
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI BILAL NAZKI

THE ACTING CHIEF JUSTICE

and

THE HON'BLE SRI JUSTICE G.CHANDRAIAH

WRIT PETITION No. 629 of 2005

Between:

The Property Tax payers Association, Gaddiannaram, represented by its President,
Sri N.Venkateswarlu,
S/o.Jagannatha Swamy R/o.1-43, Prabhatnagar,
Ward No.5, Hyderabad.-60.

..... PETITIONER

AND

1. Gaddiannaram Municipality, rep.by its Commissioner, Gaddiannaram, Hyderabad.
2. The Regional Joint Director, Municipal Admn. Picture House, Masab Tank, Hyderabad-28.
3. The Principal Secretary to Government, Municipal Administration & Urban Development Dept., Secretariat, Hyderabad.
4. The District Collector, RR.District.
5. The Member Secretary, A.P. Pollution Control Board, Sanathnagar, Hyderabad.
C.T. changed as per Court order dated 31-1-2005.

.....RESPONDENTS.

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, Order or direction especially in the nature of Writ of Mandamus declaring the action of the respondents 1 to 4 in not taking any action for the removal of huge garbage bin measuring 100 X 60 ft. which is causing health hazard

emanating bad smell and stray dog menace for the colony people and obstructing the road entrance to the colony from the National High way No.9 in spite of repeated representations and not making any alternative arrangement as has been done in the Municipal Corporation of Hyderabad by providing dumper bins in all wards, cleaning by a mechanical loader vehicle is arbitrary, against the principles of natural justice, contrary to the Rules framed under the Municipalities Act and violative of Article 21 of the Constitution of India consequently directing the respondents 1 to 5 to take immediate action for removing the said garbage bin from that place by providing alternative arrangements in the interest of justice and pass such other order or orders.

Counsel for the Petitioner: Mr.K.K.CHAKRAVARTHY

Counsel for Respondent No.1: Mr. Polisetty Radhakrishna

Counsel for Respondent Nos. 2 to 4: G.P. for Municipal Administration.

Counsel for Respondent No.5: Mr. S.V.Bhatt

S.C. for A.P. P.C.B.

The Court made the following :

ORAL ORDER:

(per Honourable Sri Bilal Nazki, the Acting Chief Justice)

The main grievance of the petitioner was that an open space measuring 100 x 60ft. was being used as a dumping ground. We passed an order on 21-4-2005 directing the respondents not to use the said land for dumping the garbage. Now, it is admitted at the Bar that the said piece of land is not being used for the purpose of dumping the garbage.

In this view of the matter, no further orders are necessary to be passed. If the petitioner association has any grievance, it is at liberty to approach the appropriate

forum.

The writ petition is accordingly closed.

BILAL NAZKI, ACJ

5.07.2005.

G.CHANDRAIAH, J.

ARS

To

1. The Commissioner, Gaddiannaram Municipality, Gaddiannaram, Hyderabad.
2. The Regional Joint Director, Municipal Administration, Picture House, Masab Tank, Hyderabad-28.
3. The Principal Secretary to Government, Municipal Administration & Urban Development Dept., Secretariat, Hyderabad.
4. The District Collector, Ranga Reddy District.
5. The Member Secretary, A.P. Pollution Control Board, Sanathnagar, Hyderabad.
6. Two CCs to Government Pleader for Municipal Administration, High Court Buildings, Hyderabad (OUT).
- 7) 2 CD copies
- 8) 1 CC to MR.CHAKRAVARTHY

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